

GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT
(LABOUR).

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Shivakumar Textiles, Subramanyapuram, Bangalore-4.

Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 591/67-68, dated 19th August 1967, from
Sri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT,
BANGALORE.

Dated this 19th day of August 1967.

Present :

Sri P. T. Kadkol, B.Sc., LL.B., ... Presiding Officer.

Reference No. 24 of 1967.

Workmen represented by the Secretary, Bangalore District Textile
Workers' Union, A-10, Aroor Srinivasachar Street, Bangalore-2.

... I Party.

Vs.

The Management of Shivakumar Textiles, Subramanyapuram,
Bangalore-4. ... II Party.

Reference.

Government Order No. LMA 294 LLD 66, dated 21st February
1967.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the workmen and the management of M/s. Shivakumar Textiles, Bangalore have referred it to this Court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947, by their Order No. LMA 291 LLD 66, dated 21st February 1967, setting out the following points of dispute for adjudication:—

“Is the Management of Shivakumar Textiles, Subramanyapuram, Bangalore-4 justified in terminating the services of Shri G. Thimmaiah from 19th January 1966, on the plea that he was Probationer engaged for specific duration of time? If not, to what relief, this worker is entitled to?”

2. The cause of the aggrieved workman has been sponsored by the Bangalore District Textile Workers Union, which is a Registered Trade Union. This Union was representing the workmen is the first party and the Management of Shivakumar Textiles is the second party in this proceeding. Sri S. Suryanarayana Rao has appeared on behalf of the Union and Sri B. R. Puttananjappa, has appeared on behalf of the Management.

3. In response to the notice issued by this court, the first party has put in its statement of claims dated 3rd April 1967 and the second party has put in its statement of objections dated 22nd April 1967.

4. During the course of the proceedings on 13th July 1967 Sri B. R. Puttananjappa, learned representative of the Management submitted that the Management was willing to take back the aggrieved workman on duty and Mr. Suryanarayana Rao, for the 1st Party submitted that the workman was willing to join duty. On 18th July 1967 Sri Suryanarayana Rao submitted a memo stating that the workman has been taken back in service with effect from 14th July 1967 and so only the issue of backwages may be decided. However on 14th August 1967 when M.W. 1 was being examined, the matter was settled out of court between the parties and they filed a joint memorandum of settlement, marked A and prayed for an Award in terms thereof. As per the settlement the management has agreed to pay half back wages to the aggrieved workman from the date of his termination i.e., 7th January 1966 to the date of his reinstatement i.e., 14th July 1967. The terms of settlement are quite fair and reasonable and I accept them.

8. In the result I proceed to pass an award as under:—

AWARD.

Reference is accepted. Award is made between the parties in terms of the memorandum of settlement, Ex. A, which should be annexed to this Award and be deemed as forming part thereof.

P. T. Kadkol,
Presiding Officer,
Labour Court, Bangalore.

ANNEXURE

BEFORE THE HON'BLE LABOUR COURT, BANGALORE.

Reference No. 24 of 1967.

Workmen of Shivakumar Textiles

I Party

Vs.

Management of Shivakumar Textiles.

... II Party

Memorandum of Settlement.

The above named parties submit that they have settled the dispute under the following terms.

1. The workman Sri G. Thimmaiah has been reinstated on 14th July 1967.
2. Regarding the claim of Sri G. Thimmaiah for back-wages, it is agreed that the Second party should pay him fifty per cent of his wages and dearness allowance from the date of his termination (7th January 1966) to the date of his reinstatement (14th July 1967). It is agreed that this amount should be paid to Sri Thimmaiah before 14th September 1967.

8. It is agreed that each party should bear its costs.

Dated at Bangalore the 14th day of August 1967.

Filed, Recorded and Marked Ex. A

Intd. P. T. K. 14/8. For the I Party,

S. Suryanarayana Rao,
14-8 1967

For the II Party.
B. R. Puttananjappa,
Representative.

ORDER

Bangalore, dated 28th August 1967.

S.O. 1727.—WHEREAS by State Government Order No. LMA 294 LLD 66, dated 21st February 1967, the Industrial Dispute between the Workmen and the Management of Shivakumar Textiles, Subramanyapuram, Bangalore-4, was referred to the Labour Court, Bangalore, for adjudication ;

AND WHEREAS the Labour Court, has submitted to the State Government its award in respect of the said Industrial Dispute ;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore, are pleased to direct the publication of the said Award as above in the *Mysore Gazette*.

[No. LMA 294 LLD 66.]

By Order and in the name of the Governor of Mysore,

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G. G. PUROHIT, *Under Secretary* .